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AN ACT

RELATING TO TORT CLAIMS; PROVIDING FOR POST-JUDGMENT INTEREST
IN ACTIONS BROUGHT PURSUANT TO THE TORT CLAIMS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 41-4-19 NMSA 1978 (being Laws 1976,
Chapter 58, Section 17, as amended) is amended to read:

"41-4-19. MAXIMUM LIABILITY.--

A. In any action for damages against a
governmental entity or a public employee while acting within
the scope of his duties as provided in the Tort Claims Act,
the liability shall not exceed:

(1) the sum of one hundred thousand dollars
(\$100,000) for damage to or destruction of property arising
out of a single occurrence; and

(2) the sum of three hundred thousand
dollars (\$300,000) for all past and future medical and
medically related expenses arising out of a single
occurrence; and

(3) the sum of four hundred thousand dollars
(\$400,000) to any person for any number of claims arising out
of a single occurrence for all damages other than property
damage and medical and medically related expenses as
permitted under the Tort Claims Act; or

(4) the sum of seven hundred fifty thousand

1 dollars (\$750,000) for all claims other than medical or
2 medically related expenses arising out of a single
3 occurrence.

4 B. Interest shall be allowed on judgments against
5 a governmental entity or public employee for a tort for which
6 immunity has been waived under the Tort Claims Act at a rate
7 equal to two percentage points above the prime rate as
8 published in the *Wall Street Journal* on the date of the entry
9 of the judgment. Interest shall be computed daily from the
10 date of the entry of the judgment until the date of payment.

11 C. No judgment against a governmental entity or
12 public employee for any tort for which immunity has been
13 waived under the Tort Claims Act shall include an award for
14 exemplary or punitive damages or for interest prior to
15 judgment."

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